

MONO COUNTY RTP/GENERAL PLAN UPDATE DRAFT EIR**SECTION 1.0****EIR INTRODUCTION**

1.0 PURPOSES OF THIS DRAFT EIR

The legislative intent of the California Environmental Quality Act (CEQA), as stated in the opening chapter of the California Public Resources Code Division 13 (Environmental Quality), is to recognize that the maintenance of a high-quality environment is a matter of statewide concern and the responsibility of all citizens, that a high-quality environment is healthful to the senses and intellect of human beings, that the capacity of the environment is limited, and that systematic efforts are required to control pollution and enhance environmental quality.

The environmental review process was created to achieve these legislative mandates. Policies that are implicit in CEQA (CEQA Guidelines §15003) identify the EIR requirement as the heart of CEQA, serving not only to protect the environment but to demonstrate to the public that it is being protected. Subsection (f) affirms that "*CEQA is to be interpreted in such a manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.*" Consistent with the legislative and policy foundation set forth in CEQA Guidelines §15002, the basic purposes of CEQA and this Environmental Impact Report (EIR) include:

1. To inform governmental decision makers and the public about the potential significant environmental effects of activities proposed with the Mono County *Regional Transportation Plan (RTP)/General Plan Update* and related planning initiatives ;
2. To identify the ways that environmental damage can be avoided or significantly reduced;
3. To prevent significant avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
4. To disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

1.1 NOTICE OF PREPARATION

A Notice of Preparation (NOP) was prepared and distributed to the State Clearinghouse, trustee agencies, responsible agencies, and other interested parties on 6 June 2014. Distribution of the NOP initiated a 30-day review period for the public and agencies to identify environmental issues that should be addressed in the Draft EIR. During the NOP review period, a public scoping meeting was held on 19 June 2014 inviting interested agencies, individuals, and organizations to discuss the range of issues, alternatives, and potential mitigation measures to be addressed in this Draft EIR. The NOP is included as Appendix A of this EIR and comments on the NOP are included as Appendix B of this Draft EIR. Table 1-1 provides a summary of key points raised in the NOP comment letters.

TABLE 1-1. Comments Received on the Notice of EIR Preparation

AGENCY	COMMENTS
Lahontan Regional Water Quality Control Board (LRWQCB); comment letter dated 7 July 2014.	<p>1. Mono County contains portions of Adobe, Deep Springs, East Walker, Fish Lake, Mono, Owens, and West Walker Hydrologic Units; and also contains Groundwater Basins including Antelope Lake Valley, Adobe Lake Valley, Bridgeport Valley, Fish Lake Valley, Long Valley, Mono Valley, Owens Valley, Slinkard Valley, Sweetwater Flat and Topaz Valley. Water quality objectives for these waters are provided in Chapter 3 of the <i>Water Quality Control Plan for the Lahontan Region</i> (Basin Plan).</p> <p>2. A number of activities associated with General Plan implementation have potential to impact waters of the state and may require permits from LRWQCB or the State Water Resources Control Board (Water Board):</p> <ul style="list-style-type: none"> • <i>Construction of landfills, landfill cells, or changes in waste accepted at currently operating landfills may require a revision to existing Waste Discharge Requirements (WDRs) or new WDRs; no changes may be made to operations at existing landfills until and unless the WDRs are revised;</i> • <i>Land disturbance of more than 1 acre may require a Clean Water Act (CWA) §402(p) stormwater permit and related permits from the Water Board, or an individual stormwater permit from the Lahontan Water Board;</i> • <i>Discharge of low threat wastes to surface waters may be subject to discharge and monitoring requirements under National Pollutant Discharge Elimination System (NPDES) General Permit, Limited Threat Discharges to Surface Waters, Board Order R6T-2008-0023;</i> • <i>Recycled water use for landscape irrigation may require WDRs for Landscape Irrigation Uses of Municipal Recycled Water from the Lahontan Water Board;</i> • <i>Streambed alteration and/or discharge of fill material to a surface water, including water diversions, may require a CWA §401 water quality certification for impacts to waters of the U.S., or dredge and fill WDRs issued by the Water Board.</i> <p>Some waters of the State are isolated from waters of the US. Determinations of the jurisdictional extent of waters of the U.S. are made by the US Army Corps of Engineers; projects that have potential to impact surface waters require the appropriate jurisdictional delineations; results will indicate whether the impacts are regulated under CWA §401 or through dredge and fill WDRs.</p> <p>3. Incorporate into the County's Integrated Water Management Planning effort strategies that promote watershed management, support low impact development, avoid and minimize the effects of hydromodification, & encourage recycled water uses.</p> <p>4. The County is encouraged to participate in the Inyo-Mono Integrated Regional Water Management Plan (IRWMP, part of a statewide effort to find and implement solutions for regional water management issues) and to incorporate the implementation strategies into the sustainability plan.</p> <p>5. Low Impact Development (LID) Strategies are the foremost method for reducing impacts to watersheds. LID goals are to maintain a landscape functionally equivalent to predevelopment hydrologic conditions and minimal generation of non-point sources. LID-compatible stormwater control measures are preferred over conventional measures.</p> <p>7. Hydromodification (alteration of natural flows) results in stream channel instability, degraded water quality, changed recharge processes and degraded aquatic habitat, and can disconnect a stream channel from its floodplain. The County is encouraged to identify existing sources of hydromodification and develop mitigation measures & guidelines to protect floodplains and channels from encroaching development.</p> <p>8. The State Board adopted in 2009 a Recycled Water Policy to increase use of municipal recycled water consistent with state and federal water quality laws; incentives are in place to encourage recycling. The County is encouraged to consider use of recycled water as a General Plan implementation strategy; please identify any recycled water projects.</p>

	<p>9. The cumulative impact analysis should consider the point impacts of all General Plan components including at a minimum the impacts to groundwater resources of increased impervious surfaces and compacted soils, changed watershed hydrology and flood risk, impacts on beneficial uses such as wildlife habitat and impacts to habitat connectivity within watersheds. Identify both regional and project-specific mitigations. Consider life-of-landfill implications and cumulative effects as existing landfills reach capacity.</p>
<p>Department of Transportation (Caltrans), District 9; comment letter dated 2 July 2014.</p>	<p>1. Regional transportation planning agencies are required by State statute to update their RTPs at least every 5 years, and the RTPs are used to program state and federal funding. Caltrans had anticipated that Mono County would complete the RTP by June 2014, and requests an updated completion schedule.</p> <p>2. The new Communications Policy proposed for the Circulation Element should ensure consideration of State Scenic highways (designated and Eligible) when addressing communication utilities and facilities such as towers, fiber optic lines, etc.</p> <p>3. Caltrans seeks to partner with Mono County to obtain funding for improved multi-modal facilities (shoulders, sidewalks etc.). The County may want to prepare a multimodal plan in concert with Caltrans' planning to optimize the multimodal network.</p> <p>4. The RTP and Improvements items should discuss partnerships Via Memoranda of Understanding and transportation project goals therein.</p> <p>5. Consider mitigation banks for transportation project impacts.</p> <p>6. In the Safety Element, ensure Caltrans' involvement in plans to safeguard areas and procedures during incidents that require use of the State Highway System.</p> <p>7. Ensure that the Parking Standards Study and related policies/goals address the given roadway situation (i.e., traffic volume, vehicle type).</p> <p>8. National Scenic Byways has been discontinued and may not be a worthwhile planning initiative; corridor planning should focus on other items. Moreover, any scenic designation excludes developed community areas. Please provide a clear separation of these two efforts and related objectives.</p> <p>9. Ensure that goals & policies balance the State highway's multiple roles (community main street, interregional thoroughfare, goods movement, local lifeline, complete street).</p> <p>10. Caltrans concurs that it is appropriate to replace the <u>1990 Conway Ranch Specific Plan</u> areas with open space or residential designations.</p>
<p>California Department of Parks and Recreation (CDPR); comment letter dated 14 July 2014.</p>	<p>1. CDPR is a trustee agency with responsibility for two state parks located in Mono County: Bodie State Historic Park, and Mono Lake Tufa State National Reserve.</p> <p>2. Please refer to the Department as 'California Department of Parks and Recreation' and not as State Dept. of Parks and Recreation.'</p> <p>3. Please analyze (1) non-native invasive weed prevention, detection and control; and (2) aquatic invasive species prevention, detection and control.</p>

1.2 CEQA REVIEW PROCESS

1.2.1 Where to obtain a copy of the Draft EIR

Public participation is an essential part of the CEQA process. Lead Agencies are encouraged to provide opportunities for public involvement, and required to make environmental information available for public review and comment (CEQA §15201). This DEIR is being circulated for review and comment to the public and other interested parties, agencies, and organizations for a 60-day review period, which is the maximum time

period allowed by law. To afford the widest possible review, the Draft EIR has been made available for review in a number of locations:

- A copy of the Draft EIR, all attachments and exhibits is electronically available on the Mono County website: <http://monocounty.ca.gov/planning/page/mono-county-general-plan-update>
- Printed copies will be kept on file for public review at the Mono County Community Development offices in Mammoth Lakes (437 Old Mammoth Rd., Suite P, Minaret Village Mall, Mammoth Lakes) and in Bridgeport (74 School St, Bridgeport, CA 93517).
- Printed copies will be available at the following public libraries: Benton, Bridgeport, Coleville, Crowley Lake, June Lake, Lee Vining and Mammoth Lakes.
- Printed copies may also be purchased at the Mono County offices in Mammoth and Bridgeport for the cost of reproduction.

1.2.2 Draft EIR Review Period Dates

The EIR review period began on Friday, 31 July 2015, and will end on Wednesday, 29 September 2015. Due to the timeframe for completing the CEQA review process, the County cannot accept comments that are received after the closing date. → **PLEASE ensure that your comments are received no later than 5:00 p.m. on Wednesday, 29 September 2015.**

1.2.3 Where to Submit Comments on the Draft EIR

The County invites and encourages your comments on this Draft EIR. Comments may be submitted by email, U.S. mail, hand delivery or fax to the following:

By Mail: Mono County Community Development Department
PO Box 347

Mammoth Lakes, CA 93546

By Hand Delivery: Mono County Community Development Department
437 Old Mammoth Rd.

Minaret Village Mall, Suite P
Mammoth Lakes

By email: Wendy Sugimura (wsugimura@mono.ca.gov)

By Fax: 760-924-1801

1.2.4 Workshops and Public Meetings during the 60-Day Review Period

In addition to accepting written comments on this document, the County will hold a series of public open- house workshops and meetings to review and discuss the *Draft RTP/ General Plan Update* and related planning initiatives, and to accept comments on the information contained in the Draft EIR. The County anticipates that informational meetings will be held during the DEIR public review period. Meeting dates, times and locations will be posted on the website (<http://monocounty.ca.gov/planning/page/mono-county-general-plan-update>) as they are scheduled.

1.2.5 Response to Comments

The EIR review and comment period has a number of purposes (CEQA §15200), enabling reviewers and the County to:

- Share expertise
- Check for accuracy
- Disclose agency analyses
- Detect omissions

- Discover public concerns and
- Solicit counter proposals

The public review period for this *Draft EIR on the RTP/General Plan Update* is intended to achieve all of the above purposes. In reviewing the draft EIR, CEQA §15204(a) advises agencies and individuals to focus on the sufficiency of the EIR in identifying and analyzing possible impacts and ways in which significant effects might be avoided or mitigated; comments are most helpful when they suggest additional specific alternatives or mitigation measures that are feasible and could better avoid or mitigate adverse effects. Whenever possible, reviewers are asked to provide data and reference materials and to explain the basis for their comments.

At the close of the 60-day public review period, the County will compile the Final EIR. The Final EIR will consist of a copy of all comments received, a list of all persons, organizations and agencies that submitted comments, a copy of the Draft EIR, and responses prepared by the County to address all significant environmental issues raised in the review and comment process. The Final EIR may also include other information added by the Lead Agency.

The Final EIR will first be submitted for review by the Planning Commission, which will formulate recommendations for consideration by the Mono County Board of Supervisors. The Final EIR will then be forwarded for consideration by the Board of Supervisors. The Board of Supervisors' review will focus on several key elements:

- Determining whether the Final EIR has been completed in compliance with CEQA;
- Verifying that Board members have fully reviewed and considered the information contained in the Final EIR;
- Affirming that the Final EIR reflects the independent judgment and analysis of the County; and
- Making written findings for each significant effect identified in the Final EIR.

The written findings will indicate, for each significant effect, whether: a) changes have been incorporated into the project to substantially lessen the adverse effect; b) such changes are the responsibility and jurisdiction of another public agency; or c) the changes are infeasible due to specific economic, legal, social, technological or other considerations; substantial evidence will be provided in support of each finding. At the same time, the Board will adopt a program for reporting on and monitoring the changes incorporated for the purpose of minimizing environmental effects, and will specify the location and custodian of the documents and other materials that constitute the record of proceedings upon which their decision is based.

If significant effects have been identified but not avoided or substantially lessened, the Board of Supervisors shall consider whether the project benefits outweigh the adverse environmental effects. The reasons supporting the Board's decision shall be specified in writing as a 'Statement of Overriding Considerations' that will be included with the record of project approval. The Board will then determine whether to approve the proposed *RTP/General Plan Update* and the related planning initiatives.

1.3 REGULATORY SETTING

Each EIR section contains a discussion of regulations at the federal, state and local level that may have a bearing on issues addressed in that section. Note that some of the programs discussed are not truly regulatory, but also include legislative and programmatic actions that may pertain to issues addressed in the section.

1.4 THRESHOLDS OF IMPACT SIGNIFICANCE

CEQA requires that environmental documents identify and focus on the *potentially significant* effects of a project proposal. A significant effect is one that may or will cause "a substantial or potentially substantial adverse change in any of the physical conditions within the area affected" by a project (CEQA Guidelines §15382). The determination of whether an impact is significant is based on a number of factors, including 1) criteria offered by the Lead Agency, responsible agencies or other entities, 2) criteria provided in the CEQA guidelines, and 3) evidence provided by factual materials and expert opinion (Guidelines §15064).

Where a lead agency provides thresholds of significance, CEQA requires that such thresholds be adopted by ordinance, resolution, rule or regulation, and developed through a public review process, and supported by substantial evidence.

(CEQA §15064.7) Mono County has not formally adopted thresholds of significance (some examples of thresholds are, however, listed in the Mono County General Plan). This EIR relies on thresholds established by the State Clearinghouse and provided in the Environmental Checklist Form,¹ as modified to reflect issues of concern identified through the Notice of EIR Preparation and public scoping meeting. Each section of the environmental analysis specifies the thresholds used to determine the significance of potential impacts.

1.5 IMPACT ANALYSES AND STATEWIDE SIGNIFICANCE

Potential environmental impacts refer to issues identified in the NOP as well as issues raised by the County, the public, responsible and trustee agencies, and other entities. In this Draft EIR, the focus is on potential adverse effects that are clearly produced by the *RTP*, the *General Plan Elements*, and/or the related planning initiatives, and may cause a substantial change in the project study area. Notations are provided where a potential effect is found too speculative for evaluation, or where the potential effect would be positive or where the potential effect is found not to be significant.

The proposed project meets at least one CEQA criterion for projects of Statewide, Regional or Areawide Significance: “A *proposed local general plan, element, or amendment thereof for which an EIR was prepared.*” (CEQA §15206) Consequently, this EIR will be transmitted to the State Clearinghouse as part of the *Draft EIR* public review process.

1.6 MITIGATION MONITORING AND REPORTING; CODE REQUIREMENTS

This EIR identifies in Appendix D all of the proposed goals, policies and actions that would serve to reduce or avoid potentially significant effects. In some instances, supplemental mitigation measures are also recommended for consideration by the County. All mitigating policies and recommended mitigation measures are summarized in the Mitigation Monitoring and Reporting Program provided in EIR §10.

In addition to the mitigation measures contained in this EIR, the project would be subject to a wide range of California Building Standards, Code requirements, and standard conditions of approval required by the County or other agencies (for example, energy conservation measures required in Title 24, etc.). These mandatory requirements do not conform to the strict definition of a mitigation measure. Standard conditions and requirements are not generally incorporated as specific mitigation measures into this EIR.

¹ 2004 CEQA Statutes & Guidelines, Appendix G, Environmental Checklist Form.